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DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>12/21/2016</u>

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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EDWARD GREEN,

Petitioner,

14 **CIVIL** 2073 (RJS) (KNF)

-against-

JUDGMENT

THE STATE OF NEW YORK,

Respondent.
-----X

Edward Green ("Petitioner:") petitions this Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2254; now before the Court is the Report and Recommendation ("Report") of the Honorable Kevin Nathaniel Fox, Magistrate Judge, which recommends that the Petition be denied, and the matter having come before the Honorable Richard J. Sullivan, United States District Judge, and the Court, on December 19, 2016, having rendered its Order and Opinion adopting the Report and denying the Petition, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Order and Opinion, dated December 19, 2016, the Report is adopted and the Petition is denied; furthermore, because Petitioner has not made a substantial showing of the denial of a constitutional right, the Court will not issue a certificate of appealability; the Court also certifies pursuant to 28 U.S.C. § 1915(a)(3) that, in the event Plaintiff seeks to appeal the Court's Order dated December 19, 2016, in forma pauperis, any appeal would not be taken in good faith; accordingly, this case is closed.

Dated: New York, New York
December 21, 2016

RUBY J. KRAJICK

Clerk of Court

BY: 

Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON 12/21/2016**